
Public Utilities Commission of the State of California
William Ahern, Executive Director

Headquarters

505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2782

Southern California Office

320 West 4th Street, Suite 500
Los Angeles, CA 90013
(213) 576-7000

Website: <http://www.cpuc.ca.gov>

Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar
Friday, December 26 2003

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/ Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities.

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

E-mail: public.advisor@cpuc.ca.gov

toll-free: 1-866-849-8390

Voice: 415-703-2074

FAX: 415-355-5404 (Attn.: Public Advisor)

TTY: 1-866-836-7825 (toll-free)

1-415-703-5282

REGULAR COMMISSION BUSINESS MEETINGS

January 8, 2004	10 am	San Francisco
January 22, 2004	10 am	San Francisco
February 11, 2004	10 am	San Francisco

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

January 5, 2004	1:30 pm	San Francisco
January 16, 2004	1:30 pm	San Francisco
February 6, 2004	1:30 pm	San Francisco

OTHER COMMISSION MEETINGS**NONE**

NOTICES**Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION**Subscription to Daily Calendar, Commission Meeting Agenda, and Draft Agenda Items**

For information contact: California Public Utilities Commission
Attention: Poly Arca
505 Van Ness Avenue, Room 1003
San Francisco, CA 94102
Phone: (415) 703-1798
E-mail: pol@cpuc.ca.gov

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS

Public Meeting Notice – Deaf and Disabled Telecommunications Program

Equipment Program Advisory Committee (EPAC)
January 8, 2004
10 am – 4 pm

Deaf & Disabled Telecommunications Program Offices
505 14th Street, Suite 400
Conference Room
Oakland

The EPAC of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

Public Meeting Agenda: I. Administrative Business, A. Agenda Modification and Approval, B. Review of Action List Items, C. Review of Minutes from the November 13 and October 8 meetings, D. Report from the Chair, II. CCAF Staff Reports, A. Consumer Affairs Report, B. Consumer Contact Report, C. Field Operations Report, D. Marketing Report, E. Outreach Report, F. CRS Report, III. CPUC Liaison Report, IV. Public Input, V. Equipment Program Manager's Report, VI. Equipment Update, VII. Election of Vice Chair, VIII. Languages other than English in Customer Services and Outreach, IX. Free 411 Service, X. Pay Phone Accessibility, XI. Discussion of The Web Camera Trial, XII. Representative to CRSAC, XIII. Representative to TADDAC, XIV. Other Business, A. Member Reports, B. Requests for invention, C. Suggested items for next month's agenda, and D. Future meetings.

Meeting Information: For more information, please contact Jane Elin, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

Environmental Notice: People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

Public Meeting Notice – Deaf and Disabled Telecommunications Program

Telecommunications Access for the Deaf and Disabled
Administrative Committee
January 6, 2004
10 am - 4 pm

DDTP Office
505 14th Street, Suite 400
Oakland

The Telecommunications Access for the Deaf and Disabled Administrative Committee will hold a meeting to address the following:

Public Meeting Agenda: I. Welcome and Introduction of Members, II. Minutes of the December 10, 2003 TADDAC Meeting, Review and follow-up on Action List from previous meeting, III. Approval of Agenda, IV. Administrative Business, A. Public Input, B. Report from the Chair, C. Report from CPUC Staff, D. Report from CCAF Staff, V. Unfinished Business, A. Working Group for CRS Implementation Issues, B. Review of Issues Related to Subcommittees, C. Review of 711 Call Procedures, D. Role of an Advisory Committee, E. Review of Previous Recommendations, VI. New Business, A. Recommendations from CRSAC, B. Recommendations from EPAC, C. Review of Draft 2004-2005 Budget Resolution, D. Review of Draft 2003-2004 Budget Augmentation Resolution.

For additional information, please call Jane Elin, DDTP Committee Coordinator, at (510) 302-1100 VOICE, (510) 302-1118 TTY, or e-mail her at jelin@ddtp.org. If you plan to attend the meeting and need sign language interpreters or other special communication accommodations, please call the DDTP office at least 5 days prior to the meeting.

Environmental Notice: People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

NOTICE OF DRAFT RESOLUTIONS
(Pursuant to PU Code § 311(g))

Draft Resolution Increasing Household Goods Carrier Maximum Rates Available

A draft resolution (TL-19036) of the Consumer Protection and Safety Division that increases the household goods carrier maximum rates contained in Maximum Rate Tariff 4 will be on the January 8, 2004 Commission meeting agenda. It is now available for public review and comment. For details on how to obtain a copy of the draft and file comments on it, refer to the notice that was published on this matter in the December 4, 2003 Daily Calendar. It is available through the Daily Calendar Archives on the Commission's web site:

<http://www.cpuc.ca.gov/cyberdocs/Libraries/WEBPUB/Common/agSearchDsp.asp>

The draft Resolution T16818 approves a one-year provisional tariff authorizing SBC to waive the installation service charge for eligible residence and business customers returning from facilities-based carrier service who are served on an Unbundled Network Element-Platform (UNE-P) basis is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32767.htm.

Contact person: Karen Miller @ (415) 703-3073 or knr@cpuc.ca.gov

The draft Resolution T16819 authorizes an increase in rates for six elements of Network Reconfiguration in conjunction with changes to NRS necessitated by new software requirements is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32794.htm.

Contact person: Larry Hirsch @ (415) 703-1575 or lah@cpuc.ca.gov

The draft Resolution T16815, detailing a budget augmentation amount of \$11,951,655 for the Deaf and Disabled Telecommunications Equipment and Services program (DDTP) for January 22, 2004 through June 30, 2004 is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32860.htm.

Contact person: Lisa Paulo @ (415) 355-4595 or LP1@CPUC.CA.GOV

The draft Resolution T16816, detailing a revised FY 03 – 04 budget in the amount of \$69,116,480 for the Deaf and Disabled Telecommunications Equipment and Services program (DDTP) for January 22, 2004 through June 30, 2004 is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32862.htm.

Contact person: Lisa Paulo @ (415) 355-4595 or LP1@CPUC.CA.GOV

The draft Resolution T16817, detailing a FY 04 – 05 budget in the amount of \$49,193,290 for the Deaf and Disabled Telecommunications Equipment and Services program (DDTP) for July 1, 2004 through June 30, 2005 is available at the Commission's web site:

http://www.cpuc.ca.gov/PUBLISHED/COMMENT_RESOLUTION/32857.htm.

Contact person: Lisa Paulo @ (415) 355-4595 or LP1@CPUC.CA.GOV

NEW FILINGS

- | | |
|----------|---|
| 12/16/03 | (ECP) C03-12-027 - April Raynell vs. Pacific Bell Telephone Company, dba SBC California, for reimbursement of money paid for services agreed to but not provided or provided improperly. |
| 12/17/03 | A03-12-028 – Utility Design, Inc., for rehearing of Resolution G-3359. |
| 12/23/03 | A03-12-029 - Paramvir Sandhu, dba 777 Transportation, for authority to operate as a scheduled passenger stage corporation between the points in Santa Clara, Alameda and Yolo Counties and to establish a zone of rate freedom (19798 Wisteria Street, Castro Valley, CA 94546; (510) 581-0895). |
| 12/24/03 | A03-12-030 - San Francisco VIP Coach Tours, Inc., for modification of a passenger stage corporation certificate PSC-7771 (360 Alcott Road, San Bruno, CA 94066; (877-738-6877)). |

PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**NONE**

**DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING OFFICER'S DECISION *
ARBITRATOR'S REPORTS**

12/24/03 A00-11-038 – Application of Southern California Edison Company for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs;
A00-11-056 – Emergency Application of Pacific Gas and Electric Company to Adopt a Rate Stabilization Plan;
A00-10-028 – Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527;
C02-02-027 – William Ahern, Janet Beautz (For Santa Cruz County Board of Supervisors), Charlie Betcher, Robert J. Boileau, William Burns, Alvin Colley, James Crettol, Michael Gallo, Dave Hennessy, Dennis Herrera, Nettie Hoge, Walter Johnson, Fred Keeley, Reggie Knox, William Knox, Bruce Livingston, Elizabeth Martin, Barbara McIver, Robert Meacher, Deidra O'Merde, Elizabeth Sholes, Mary Frances Smith, Ladan Sobhani, Peter Van Zant, Mary Ann Woomeer, and Carl Zichella (Complainants) vs. Pacific Gas and Electric Company (Defendant); and
A00-07-013 – Application of Pacific Gas and Electric Company for Review and Recovery of Costs Recorded in the Electric Restructuring Costs Account (ERCA) for 1999 and Forecast for 2000 and 2001; **Draft Alternate Decision of President Peevey.**

ADVICE LETTER FILINGS**NONE**

**MISCELLANEOUS TRANSPORTATION ITEMS
Filings with Consumer Protection and Safety Division****NONE**

MISCELLANEOUS TELECOMMUNICATION MATTERS**NONE**

TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

12/16/03 **A.03-03-029** - Application of San Diego Gas & Electric Company for Authority to Make Various
ALJ McVicar Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer
Classes Effective January1, 2004. (U 902-E)

ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED**NONE**

REMOVALS FROM CALENDAR**NONE**

NEW SETTINGS**NONE**

LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judge Sarah R. Thomas and John E. Thorson at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

12/29/03 NONE SCHEDULED
10:00 a.m.

1/5/04 NONE SCHEDULED
10:00 a.m.

1/12/04 NONE SCHEDULED
10:00 a.m.

FINAL ORAL ARGUMENTS (FOA)**NONE**

HEARINGS

Dates in parentheses following the word "also" are subject to change without notice. The assigned Commissioner's name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

(PHC) = Prehearing Conference
(EH) = Evidentiary Hearing
(PPH) = Public Participation Hearing
(IAM) = Initial Arbitration Meeting
(M) = Mediation

(ECP) = Expedited Complaint Procedure
(OSC) = Order to Show Cause
(WS) = Workshop
(FPH) = Full Panel Hearing
(AH) = Arbitration Hearing

(CA) = Closing Argument
(LM) = Law & Motion
(OA) = Oral Argument

- 1/5/04**
2:00 p.m.
ALJ TerKeurst
Comr Lynch
I.00-11-001 (PHC) - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,
Commission Courtroom, San Francisco
- 1/6/04**
10:00 a.m.
ALJ O'Donnell
Comr Brown
R.03-03-017 (PHC) - Order Instituting Rulemaking on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and
I.03-03-018 - Order Instituting Investigation on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and
C.00-01-017 - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants,
Commission Courtroom, San Francisco
- 1/7/04**
9:00 a.m.
ALJ Fukutome
Comr Peevey
A.03-10-022 (Forecast Phase) (EH) - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,
Commission Courtroom, San Francisco
- 1/7/04**
10:00 a.m.
ALJ Thomas
Comr Wood
A.03-10-039 (AH) - Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,
Commission Courtroom, San Francisco
(also January 8)
- 1/8/04**
1:00 p.m.
ALJ Allen
Comr Peevey
A.03-10-044 (PHC) - Application of Pacific Gas and Electric Company (U 39 M) for Authorization to Sell its Kern Facility Pursuant to Public Utilities Code Section 851 and Executive Order D-44-01,
Commission Courtroom, San Francisco
- 1/8/04**
1:30 p.m.
ALJ Grau
Comr Brown
R.03-09-029 (PHC) - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755,
Commission Courtroom, San Francisco
- 1/9/04**
9:00 a.m.
ALJ Vieth
Comr Wood
C.03-09-027 (EH) - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs. Southern California Edison Company, Defendant,
Commission Courtroom, San Francisco
- 1/9/04**
10:00 a.m.
ALJ Wong
Comr Peevey
A.03-08-004 (PHC) - Application of Pacific Gas and Electric Company for Adoption of its 2004 Energy Resource Recovery Account (ERRA) Forecast Revenue Requirement, for Review of Contract Administration, Least Cost Dispatch and Procurement Activities during the Record Period January 1, 2003, Through May 31, 2003, and for Approval of its 2004 Ongoing Competition Transition Charges (CTC) Revenue Requirement and Proposed Rate Design. (U 39 E),
Commission Courtroom, San Francisco
- 1/12/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
A.02-09-043 (EH) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project,
Commission Courtroom, San Francisco
(also January 13 - 16 and January 20 - 23) (Note: January 20 at 10:00 a.m. and the remaining days at 9:00 a.m.)

- 1/12/04**
10:00 a.m.
ALJ Fukutome
Comr Lynch
A.03-05-035 (EH) - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006,
Commission Courtroom, San Francisco
(Also January 13 - 16)
- 1/12/04**
4:00 p.m. &
7:00 p.m.
ALJ Walker
Comr Brown
A.01-10-047 (PPH) - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,
Oxnard City Hall Council Chamber, 305 West 3rd Street, Oxnard, CA
- 1/13/04**
9:00 a.m.
ALJ Duda
Comr Peevey
R.93-04-003 (Verizon UNE Phase) (WS) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
I.93-04-002 - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,
Commission Courtroom, San Francisco
(also January 14 - 15)
- 1/15/04**
2:00 p.m.
ALJ Thomas
Comr Brown
C.03-07-031 (PHC) - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,
Commission Courtroom, San Francisco
- 1/20/04**
10:00 a.m.
ALJ Allen
Comr Brown
Comr Lynch
A.00-11-038 (EH) - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and
A.00-11-056 - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and
A.00-10-028 - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527,
Commission Courtroom, San Francisco
(Also January 21 – 23 at 9:00 a.m.)
- 1/20/04**
10:00 a.m.
ALJ Koss
Comr Peevey
C.03-08-030 (TELEPHONIC -PHC) – County of Los Angeles, Complainant, vs. Union Pacific Railroad Company, Defendant,
Commission Room 5041A, San Francisco
- 1/20/04**
10:00 a.m.
ALJ Pulsifer
Comr Kennedy
R.95-04-043 (PHC) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,
Commission Courtroom, San Francisco
- 1/20/04**
1:00 p.m.
ALJ Koss
Comr Brown
C.03-07-040 (PHC) - City of Anaheim, Complainant, vs. Union Pacific Railroad Company, Defendant,
Commission Courtroom, San Francisco

1/21/04
10:00 a.m.
ALJ McKenzie
Comr Lynch
A.01-06-043 (PHC) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 M) for Approval of Leases to Allow CalPeak Power, LLC to Site Generator Plants on Utility Owned Land Adjacent to Substations, and
A.01-07-031 - Application of Pacific Gas and Electric Company on an Expedited Basis for Exemption under Section 853 for Easements on PG&E Land Allowing Delta Energy Center, LLC to Maintain an Electric Transition Structure for the Delta Project and CPN Pipeline to Maintain Gas Facilities for the Delta Project and the Los Medanos Energy Center Project, or in the Alternative for Approval of Easements under Section 851. (U 39 M),
Commission Courtroom, San Francisco

1/21/04
10:00 a.m.
ALJ Econome
Comr Brown
C.03-11-019 (TELEPHONIC PHC) - Francis J. Belanger, dba J&S Machine, Complainant, vs. Southern California Edison Company, Defendant,
Commission Room 5113, San Francisco

1/21/04
10:00 a.m.
ALJ Reed
C.03-11-024 (ECP) - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,
Commission Courtroom, San Francisco

1/22/04
10:00 a.m.
ALJ Patrick
C.03-12-020 (ECP) - Alex Rouell, Complainant, vs. Pacific Bell Telephone Company dba SBC California, SBC Advanced Solutions, Inc., Defendants,
Commission Courtroom, San Francisco

1/22/04
10:00 a.m.
ALJ Bushey
Comr Brown
I.03-08-017 (PHC) - Investigation on the Commission's own motion into the fatal accident at the North Street Crossing (MP 220.50) in the City of Selma, Fresno County, on June 6, 2003, and order to show cause why this crossing should not be closed,
Commission Courtroom, San Francisco

1/23/04
10:00 a.m.
ALJ Gottstein
Comr Kennedy
R.01-08-028 (PHC) - Order Instituting Rulemaking to Examine the Commission's Future Energy Efficiency Policies, Administration and Programs,
Commission Courtroom, San Francisco

1/26/04
10:00 a.m.
ALJ Malcolm
Comr Lynch
A.02-07-050 (EH) - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service,
Commission Courtroom, San Francisco
(January 27 – 30 and February 2 – 3)

1/26/04
10:00 a.m.
ALJ Pulsifer
Comr Kennedy
R.95-04-043 (EH) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,
Commission Courtroom, San Francisco
(also January 27 – 30 and February 2 – 6 at 9:00 a.m.)

1/27/04
1:30 p.m.
ALJ Bushey
Comr Wood
A.03-04-025 (PHC) - In the Matter of the Application of San Gabriel Valley Water Company (U 377 W) for Authority to Implement a Low-Income Rate in Its Los Angeles Division in Compliance with Decision 02-10-058 in Application 01-10-028,
Commission Courtroom, San Francisco

1/28/04
5:30 p.m.
ALJ Malcolm
Comr Kennedy
A.03-03-043 (PHC) - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Viejo System Project,
Mission Viejo City Hall Council Chamber, 200 Civic Center, Mission Viejo, CA

1/29/04 1:00 p.m. ALJ Patrick	C.03-12-022 (ECP) - Alvin O. Rogers, Complainant, vs. Verizon Wireless, Defendant, Department of General Services, Building & Property Management – Staff Room, 100 Paseo de San Antonio, Room 106, San Jose, CA
2/3/04 10:00 a.m. ALJ Long Comr Wood	A.02-12-027 (PHC) - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and A.02-12-028 - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and I.03-03-016 - Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company, Commission Courtroom, San Francisco
2/4/04 10:00 a.m. ALJ Thomas Comr Wood	A.03-10-039 (EH) – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058, Commission Courtroom, San Francisco (also February 5)
2/5/04 10:00 a.m. ALJ Walwyn Comr Peevey	R.01-10-024 (SDG & E RFP) (PHC) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development, Commission Courtroom, San Francisco
2/9/04 9:30 a.m. ALJ Simon Comr Wood	A.02-01-031 (EH) - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara, Commission Courtroom, San Francisco (Also February 10 –11)
2/9/04 10:00 a.m. ALJ Malcolm Comr Lynch	A.03-07-036 (EH) - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006, Commission Courtroom, San Francisco (Also February 10 – 11 and February 23 – 24)
2/9/04 10:00 a.m. ALJ Pulsifer Comr Kennedy	R.95-04-043 (EH) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service, Commission Courtroom, San Francisco (also February 10 – 11, 13 and February 17 – 18))
2/9/04 10:00 a.m. ALJ Walwyn Comr Peevey	R.01-10-024 (SDG & E RFP) (EH) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development, Commission Courtroom, San Francisco (also February 10 – 11, 13 and February 17 – 20)

- 2/10/04**
9:00 a.m. -
3:00 p.m.
ALJ Thorson
Comr Kennedy
- A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
- 2/17/04**
10:00 a.m.
ALJ Thomas
Comr Brown
- C.03-07-031 (EH)** - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,
Commission Courtroom, San Francisco
(also February 18 – 20 and February 23 – 25)
- 2/18/04**
2:00 p.m.
ALJ Barnett
Comr Wood
- C.01-01-032 (PHC)** - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and
C.01-01-051 - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and
C.01-09-011 - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant,
Commission Courtroom, San Francisco
- 2/19/04**
10:00 a.m.
ALJ Reed
Comr Peevey
- C.03-11-024 (EH)** - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,
Commission Courtroom, San Francisco
- 2/20/04**
12:00 noon
ALJ Barnett
- C.03-12-012 (ECP)** - Dean B. Lumibao, Complainant, vs. Verizon Wireless, Defendant,
City Utilities Yard – Administration Conference Room, 949 West 16th St., Newport Beach, CA
- 2/23/04**
12:00 noon
ALJ Barnett
- C.03-11-028 (ECP)** - Stephen L. Winke and Andrea J. Schlang, Complainant, vs. Myoma Dunes Mutual Water Company, Defendant,
Palm Springs City Hall – West Conference Room, 3200 E. Tahquitz Canyon Way, Palm Springs, CA
- 2/24/04**
2:00 p.m.
ALJ Barnett
Comr Wood
- A.02-05-004 (PHASE 2) (PHC)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
I.02-06-002 - Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,
Commission Courtroom, San Francisco
- 3/1/04**
10:00 a.m.
ALJ Barnett
Comr Wood
- A.02-05-004 (PHASE 2) (EH)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
I.02-06-002 - Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,
Commission Courtroom, San Francisco
(also March 2 - 4; March 8 - 11; and March 15 – 18)

- 3/1/04**
9:00 a.m.
ALJ Vieth
Comr Wood
A.03-10-006 (EH) - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its Metropolitan Service Area,
Commission Courtroom, San Francisco
(also March 2 – 5)
- 3/3/04**
10:00 a.m.
ALJ Mattson
Comr Kennedy
A.03-09-008 (PHC) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
- 3/18/04**
10:00 a.m.
ALJ Malcolm
Comr Peevey
R.03-10-003 (EH) - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation,
Commission Courtroom, San Francisco
(also March 19)
- 3/19/04**
10:00 a.m. -
12:00 p.m.
ALJ Thorson
Comr Kennedy
A.03-10-017 (PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
- 3/22/04**
3:00 p.m. -
5:00 p.m.
ALJ Thorson
Comr Kennedy
A.03-10-017 (WS) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Room 5012, San Francisco

- 3/23/04**
9:00 a.m. -
3:00 p.m.
ALJ Thorson
Comr Kennedy
- A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
(also March 24 – 26 and March 29 - 30)
- 3/26/04**
12:00 noon
ALJ Barnett
- C.03-12-025 (ECP)** - Sergio A. Rojo, Complainant, vs. AT & T Wireless, Defendant,
Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA
- 3/29/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
- I.02-11-040 (EH)** - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and
I.03-02-033 - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities,
Commission Courtroom, San Francisco
(also March 30, April 1 - 2; April 5 – 9; April 19 – 23; and April 26 - 30)
- 4/7/04**
11:00 a.m.
ALJ Malcolm
Comr Peevey
- R.03-08-018 (PHC)** - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges,
Commission Courtroom, San Francisco
- 4/12/04**
9:30 a.m.
ALJ Simon
Comr Kennedy
- A.03-01-013 (EH)** - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, and
A.03-07-049 - Application of the Pasadena Avenue Monterey Road Committee and City of South Pasadena for Variance of General Order 75-C, and
A.03-07-050 - In the Matter of the Application of the City of South Pasadena for Approval of Ordinance 2121 Relating to Limitations of Train Speeds Pursuant to Section 7658 of the California Public Utilities Code,
Commission Courtroom, San Francisco
(also April 13 - 16)
- 4/12/04**
10:00 a.m.
ALJ Fukutome
Comr Peevey
- A.03-10-022 (Reasonableness Phase) (EH)** - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,
Commission Courtroom, San Francisco
(also April 13 – 16)

- 4/13/04**
9:00 a.m.
ALJ Vieth
Comr Peevey
A.03-10-057 (EH) - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief,
Commission Courtroom, San Francisco
(also April 14 – 15)
- 4/20/04**
9:30 a.m.
ALJ Simon
Comr Brown
C.03-10-030 (EH) - U.S. TelePacific Corp. (U-5721-C), Complainant, vs. Verizon California, Inc. (U-1002-C), Defendant,
Commission Courtroom, San Francisco
- 4/26/04**
10:00 a.m.
ALJ Walker
Comr Brown
C.02-07-044 (EH) – The Utility Consumers’ Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants,
Commission Courtroom, San Francisco
(also April 27 - 30)
- 5/10/04**
10:00 a.m.
ALJ Long
Comr Wood
A.02-12-027 (EH) - Application of SOUTHERN CALIFORNIA GAS COMPANY for authority to update its gas revenue requirement and base rates. (U 904 G), and
A.02-12-028 - Application of SAN DIEGO GAS & ELECTRIC COMPANY for authority to update its gas and electric revenue requirement and base rates. (U 902-M), and
I.03-03-016 - Order Instituting Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Gas Company and San Diego Gas & Electric Company,
Commission Courtroom, San Francisco
(also May 11 – 14 and May 17 - 21)
- 6/7/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
I.00-11-001 (EH) - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,
Commission Courtroom, San Francisco
(also June 8 – 11 and June 14 – 18)
- 6/14/04**
9:30 a.m.
ALJ Duda
Comr Peevey
R.93-04-003 (Verizon UNE Phase) (EH) - Rulemaking on the Commission’s Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
I.93-04-002 - Investigation on the Commission’s Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,
Commission Courtroom, San Francisco
(also June 15 - 18)
- 7/7/04**
10:00 a.m.
ALJ Mattson
Comr Kennedy
A.03-09-008 (PHC) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
- 7/12/04**
9:00 a.m.
ALJ Mattson
Comr Kennedy
A.03-09-008 (EH) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (EH) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
(Also July 13 – 16; July 19 – 23; and July 26 – 30)
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NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

NONE

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

NONE

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

12/15/03 R01-10-024 Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development.

Summary: On December 11, 2003, Bruce C. Foster, Vice President of Regulatory Operations of Southern California Edison Company (SCE), met with Brian Prusnek, advisor to Cmmr. Kennedy at Flipper Gourmet Burgers. Also present was Gary Schoonyan, Director, Regulatory Policy and Affairs, for SCE. Written materials (attached to the notice) were used. Foster and Schoonyan discussed SCE's concerns with the proposed decision of ALJ Walwyn (PD), and the alternate of Cmmr. Peevey (AD).

Filer: Southern California Edison Company

Contact: Henry Romero

Phone: (626) 302-4124

email: henry.romero@sce.com

12/16/03 R01-10-024 Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development.

Summary: On December 11, 2003, Erik Jacobson, Chief, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Aaron Johnson, advisor to Cmmr. Lynch, in San Francisco. Also present was Roy Kuga, Lead Director, Gas & Electric Supply, for PG&E. Jacobson and Kuga stated the need for confidentiality of certain bid and forecast information. Jacobson and Kuga also indicated that the PRG process was working well and should be retained. Kuga and Jacobson further explained the importance of getting a decision soon that approves PG&E's short-term procurement plan. Kuga and Jacobson described changes that should be made to Cmmr. Lynch's alternate in the area of unit contingent contracts and debt equivalence. Kuga and Jacobson stated that the alternate should also be modified to eliminate the opportunity for direct access and community aggregation customers to opt-out of any reserve charge established to recovery the cost of procuring reserves on their behalf. Finally, Kuga and Jacobson urged that the alternate be modified to allow PG&E to enter into multi-year deals under a 'no-regrets' policy.

Filer: Pacific Gas and Electric Company

Contact: Sandra Ciach

Phone: (415) 973-7572

email: src5@pge.com

Summary: On December 11, 2003, Erik Jacobson, Chief, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with David Gamson, advisor to Cmmr. Lynch, in San Francisco. Also present was Roy Kuga, Lead Director, Gas & Electric Supply, for PG&E. Jacobson and Kuga stated the need for confidentiality of certain bid and forecast information. Jacobson and Kuga also indicated that the PRG process was working well and should be retained. Kuga and Jacobson further explained the importance of getting a decision soon that approves PG&E's short-term procurement plan. Kuga and Jacobson described changes that should be made to the decisions in the area of unit contingent contracts and debt equivalence. Kuga and Jacobson also indicated that the proposed decision by ALJ Walwyn and the alternate by Cmmr. Lynch should be modified to eliminate the opportunity for direct access and community aggregation customers to opt-out of any reserve charge established to recovery the cost of procuring reserves on their behalf.

Filer: Pacific Gas and Electric Company

Contact: Sandra Ciach

Phone: (415) 973-7572

email: src5@pge.com

12/16/03	A01-10-011	Pacific Gas and Electric Company (U 39 G), Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016.
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Summary: On December 11, 2003, Eric Eisenman, Chief, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Roosevelt Grant, advisor to Cmmr. Peevey, in San Francisco. Also present was Ray Williams, Director, California Gas Transmission, PG&E. Eisenman stated that PG&E's comments on the alternate of Cmmr. Peevey explain PG&E's opposition to the alternate. Williams stated that an order in this proceeding must always provide PG&E an opportunity to recover all of its local transmission costs. Williams stated that permitting direct connects to the backbone system will result in rate increases to almost all of PG&E's customers, including core customers. Eisenman added that the direct connect policy advocated in the alternate will affect the siting of new electric generation facilities.

Filer: Pacific Gas and Electric Company

Contact: Sandra Ciach

Phone: (415) 973-7572

email: src5@pge.com

12/17/03	A01-10-011	Pacific Gas and Electric Company (U 39 G), Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016.
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Summary: On December 12, 2003, Brian Cragg, representing Duke Energy North America, LLC and Duke Energy Trading and Marketing, LLC (collectively, "Duke") left a telephone voicemail message with Trina Horner, advisor to Cmmr. Lynch. Cragg discussed the effects of the backbone-level rate recommended in Cmmr. Peevey's alternate. Cragg stated that the backbone level rate creates an incentive for generators and noncore customers to construct laterals to the backbone parallel to the existing PG&E pipelines.

Filer: Duke Energy North America, LLC, Duke Energy Trading and Marketing, LLC

Contact: Melinda LaJaunie

Phone: (415) 392-7900

12/17/03	R01-09-001	Order instituting rulemaking on the Commission's own motion to assess and revise the new Regulatory Framework for Pacific Bell and Verizon California Incorporated.
	I01-09-002	Order instituting investigation on the Commission's own motion to assess and revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated.

Summary: On December 15, 2003, William Nusbaum, attorney for The Utility Reform Network (TURN), participated in an all-party meeting with Cmmr. Brown in San Francisco. Also present were Robert Wullenjohn and Belinda Gatti, advisors to Cmmr. Brown, Darwin Farrar, counsel, and Richard

Smith and Lee-Whei Tan, for the Office of Ratepayer Advocates (ORA), Paul Strange, Michael Sasser and Emory Borsodi for Pacific Bell Telephone Company (Pacific), and Clay Deanhardt, counsel for AT&T. Nusbaum expressed TURN's overall support for the proposed decision (PD) of ALJ Kenney in Phase 2A of the New Regulatory Framework with certain modifications. More specifically, TURN urged the Commission to agree with the PD's finding directing Pacific to reverse \$165.6 million of PBOP costs.

Filer: The Utility Reform Network

Contact: Katharina Mack

Phone: (415) 929-8876

email: katmack@turn.org

Summary: On December 15, 2003, Richard Smith, Deputy Director of the Office of Ratepayer Advocates (ORA), participated in an all-party meeting with Cmmr. Brown in San Francisco. Also present were Robert Wullenjohn and Belinda Gatti, advisors to Cmmr. Brown, Darwin E. Farrar, attorney, and Lee-Whei Tan, Regulatory Analyst V, for the ORA, William Nussbam, counsel for The Utility Reform Network, Paul Strange, Emory Borsodi, and Michael Sasser, for Pacific Bell Telephone Company, and Clay Deanhardt, counsel for AT&T. Written materials (attached to the notice) were used. Smith expressed the ORA's overall support for the proposed decision (PD) of ALJ Kenney in Phase 2A of the New Regulatory Framework, discussed issues related to post-retirement benefits other than pensions (PBOPs), and discussed the voluntary employee benefit association trusts. Farrar argued that neither the proposed or alternate decisions creates problems with retroactive ratemaking. Tan discussed accounting issues related to PBOPs, noted that Pacific should not have written off the regulatory asset above the line, and stated that the PD is consistent with the Commission's decisions establishing the PBOP cost recovery mechanism.

Filer: Office of Ratepayer Advocates – Farrar

Contact: Rosario Espino

Phone: (415) 703-1858

email: mre@cpuc.ca.gov

12/17/03 A03-06-040 Southern California Gas Company (U 904-G), in compliance with Resolution G-3334 for a System of Firm, Tradable Receipt Point Capacity Rights and related provisions.

Summary: On December 12, 2003, Keith McCrea, counsel for the California Manufacturers and Technology Association, participated by telephone in an all party meeting with Cmmr. Brown in Los Angeles. McCrea expressed the view that firm tradable rights were not an end unto themselves and that they should be implemented to address specific problems. McCrea indicated that tradable rights introduced additional complexities for end users and that the secondary market was likely to be thinly traded. McCrea also indicated that if firm tradable rights were implemented, the backbone transmission costs should be unbundled and that Southern California Gas Company should be at risk for those costs. McCrea further expressed opposition to according electric generators special rights or priorities to firm tradable rights.

Filer: California Manufacturers and Technology Association

Contact: Jody Smith

Phone: (202) 383-0113

email: jody.smith@sablaw.com

Summary: On December 12, 2003, Scott Lehecka, representing Southern California Generation Coalition (SCGC), met with an all-party meeting with Cmmr. Brown in Los Angeles. Also present were Belinda Gatti, advisor to Cmmr. Brown, Fred Fletcher, Bruno Jeider, and Lianne Parker, representing Burbank Water and Power, and other participants. The parties urged the Commission to grant the Joint Parties' Petition for Modification of D01-12-018 and Resolution G-3334 dated October 23, 2003. The parties also expressed their view that since there is significant consensus that the reforms contained in the Comprehensive Settlement Agreement must be modified to reflect changed circumstances, it would be preferable for the Commission to allow a reasonable period of time to reconsider the overall plan for reform of the Southern California Gas Company's system before proceeding to implement some parts of the CSA.

Filer: Southern California Generation Coalition

Contact: Norman A. Pedersen

Phone: (213) 430-2510

email: npedersen@hanmor.com

Summary: On December 12, 2003, Thomas Beach of Corssborder Energy, representing Watson Cogeneration Company (Watson), participated by telephone in an all-party meeting with Cmmr. Brown in Los Angeles. Also present was Belinda Gatti, advisor to Cmmr. Brown. Beach commented that most parties appear to agree that there should be a system of firm tradable capacity rights on the gas system in southern California, and that implementing the Gas Industry Restructuring Program (GIR) is by far the fastest and easiest way to that end. Watson stated that it is better to implement the GIR now and then to modify it in 2006 after two years of experience have been gained. Beach also commented in opposition to Southern California Gas Company's position that it should be relieved of all risk in serving the noncore market.

Filer: Watson Cogeneration Company

Contact: Christa Goldblatt or Kathy Payne

Phone: (510) 649-9790

Summary: On December 12, 2003, Brian Cherry, Director, Regulatory Relations, Pacific Gas and Electric Company (PG&E), met with Cmmr. Brown in an all-party meeting in Los Angeles. Also present were Belinda Gatti, advisor to Cmmr. Brown, Roger Graham, Director, Gas Products and Sales, for PG&E, and other attendees listed on the attachment to the notice. Cherry stated that a system of firm, tradable intrastate capacity rights has been the Commission's public policy goal for Southern California since the Commission adopted PG&E's Gas Accord decision seven years ago. Cherry stated that the time had come to move forward with the Comprehensive Settlement Agreement. Graham stated that Southern California Gas Company's treatment of interstate pipeline capacity was discriminatory because it favored existing interconnected pipelines to the detriment of new pipeline interconnects. Graham noted that the Commission should resolve this discriminatory access treatment in its order.

Filer: Pacific Gas and Electric Company

Contact: Sandra Ciach

Phone: (415) 973-7572

email: src5@pge.com

12/17/03

I02-04-026

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.

Summary: On December 12, 2003, William H. Booth, counsel for the California Large Energy Consumers Association (CLECA), met with Cmmr. Lynch in San Francisco. Booth expressed CLECA's concerns regarding the Pacific Gas and Electric Company (PG&E)/CPUC staff settlement. Booth stated that CLECA would like to see the largest possible revenue requirement reduction in 2004, and the allocation of such reduction in a manner designed to redress the allocation problems created by the June 2001 rate increase. Booth stated that he agrees with Cmmr. Wood's proposed treatment of the utility's bankruptcy litigation costs, and its assessment of the amount of headroom recovered by PG&E in 2001-2002. Booth urged the Commission to consider inclusion of a provision requiring the use of a dedicated rate component form of financing, rather than the Regulatory Asset set forth in the settlement.

Filer: California Large Energy Consumers Association

Contact: Christie Dable

Phone: (925) 296-2460

email: cbooth@booth-law.com

Summary: On December 15, 2003, Evelyn Kahl, counsel to Energy Producers and Users Coalition, met with Cmmr. Brown, in San Francisco. Also present were David Gamson and Peter Hanson, advisors to Cmmr. Brown, Robert Harrer, representing Western States Petroleum Association, Karen Mills, representing California Farm Bureau Federation, Dominic DiMare, representing the California Chamber of Commerce, Dorothy Rorthrock, representing California Manufacturers and Technology Association; and Ken Cleaveland, representing Building Owners and Management Association. The parties stated that the Commission should place a high value in resolving the PG&E bankruptcy on a resolution that will maximize and expedite rate reductions to the state's business and industrial ratepayers. The parties also explained that the Commission should seek a decision in the PG&E bankruptcy proceeding that will bring the case to a final resolution. The parties stated that any decision issued by the Commission should be

calculated to reduce further litigation before the bankruptcy court.

Filer: Energy Producers and Users Coalition, Western States Petroleum Association, California Farm Bureau Federation, California Chamber of Commerce, California Manufacturers and Technology Association, and the Building Owners and Management Association
Contact: Karen Terranova **Phone:** (415) 421-4143

Summary: **LATE FILED.** On December 11, 2003, Joe Lyons of the California Manufacturers and Technology Association (CMTA), met with Cmmr. Lynch at CMTA's offices in Sacramento. Also present was Dorothy Rothrock of CMTA. Rothrock and Lyons expressed CMTA's concerns with the proposed decision and Cmmr. Peevey's alternates and the need to adopt a plan which better reflects the interests of ratepayers. Rothrock and Lyons also discussed the need to maximize the amount of rate relief to large customers upon implementation of any plan.

Filer: California Manufacturers and Technology Association

Contact: Jody Smith

Phone: (202) 383-0113

email: jody.smith@sablaw.com

Summary: On December 12, 2003, Keith McCrea, counsel for the California Manufacturers and Technology Association (CMTA), initiated a telephone conversation with David Gamson, advisor to Cmmr. Brown. McCrea discussed the need to provide a longer amortization period in order to maximize the level of rate relief. McCrea also stated CMTA's position that none of Pacific Gas and Electric Company's bankruptcy-related costs should be paid for by customers.

Filer: California Manufacturers and Technology Association

Contact: Jody Smith

Phone: (202) 383-0113

email: jody.smith@sablaw.com

Summary: On December 15, 2003, Dennis J. Herrera, City Attorney, City and County of San Francisco (City), met with Cmmr. Brown in San Francisco. Also present were Theresa Mueller and David Campos, Deputy City Attorneys, for the City. The City representatives indicated that the City views Cmmr. Brown's alternate as an improvement over the settlement proposed by Pacific Gas and Electric Company (PG&E) and the Commission's staff. The City representatives also indicated that even though Cmmr. Brown's alternate is a step in the right direction, the City still believes that Cmmr. Brown's alternate provides too much money to PG&E; and that there is no record to justify giving PG&E the amount of money it has requested. Finally, The City representatives noted that it is the City's hope that the three Commissioners with alternates critical of what PG&E and the Commission staff have proposed can agree to issue a decision that more adequately protects ratepayers.

Filer: City and County of San Francisco

Contact: David Campos

Phone: (415) 554-6549

email: david.campos@sfgov.org

Summary: **AUGMENTATION REQUIRED.** On December 12, 2003, Dan Richard, Senior Vice President, Pacific Gas and Electric Company (PG&E), had a telephone conversation with Cmmr. Kennedy. Richard discussed his reaction to The Utility Reform Network's ex parte filing regarding the use of a dedicated rate component (DRC) and the issues raised by DRC financing.

Filer: Pacific Gas and Electric Company

Contact: Sandra Ciach

Phone: (415) 973-7572

Summary: On December 15, 2003, Evelyn Kahl, counsel to Energy Producers and Users Coalition, met with Julie Fitch, advisor to Pres. Peevey, in San Francisco. Also present were Kevin Coughlan, advisor to Pres. Peevey, Karl Bemdeserfer, advisor to Cmmr. Kennedy, Robert Harrer, representing Western States Petroleum Association, Dominic DiMare, representing the California Chamber of Commerce, Dorothy Rothrock, representing California Manufacturers and Technology Association; and Ken Cleaveland, representing Building Owners and Management Association. The parties stated that the Commission should place a high value in resolving the PG&E bankruptcy on a resolution that will maximize and expedite rate reductions to the state's business and industrial ratepayers. The parties also explained that the Commission should seek a decision in the PG&E bankruptcy proceeding that will bring the case to a final resolution. The parties stated that any decision issued by the Commission should be calculated to reduce further litigation before the bankruptcy court.

Filer: Energy Producers and Users Coalition; Western States Petroleum Association; California Chamber of Commerce; California Manufacturers and Technology Association; Building Owners and Management Association

Contact: Karen Terranova

Phone: (415) 421-4143

email: kt@a-klaw.com

12/18/03 A01-10-011 Pacific Gas and Electric Company (U 39 G), Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016.

Summary: On December 15, 2003, Brian Cragg, representing Duke Energy North America, LLC and Duke Energy Trading and Marketing, L.L.C., spoke with Manuel Ramirez, advisor to Cmmr. Wood, on the telephone and, on the same day of December 15, 2003, left a voicemail message with Brian Prusnek, advisor to Cmmr. Kennedy. Cragg discussed the effects of the backbone-level rate recommended in Cmmr. Peevey's alternate. Cragg stated the backbone level rate creates an incentive for existing customers to duplicate PG&E's facilities to connect to the backbone. Cragg noted that the backbone creates an incentive for generators and noncore customers to construct laterals to the backbone parallel to the existing PG&E pipelines, and that this is incredibly disruptive to affected communities. Cragg noted that if the Commission would really like to create incentives for electric generators and non-core customers to build laterals to the backbone, it should consider making the utilities' rights of way available for construction.

Filer: Duke Energy North America, LLC and Duke Energy Trading and Marketing, L.L.C.

Contact: Melinda LaJaunie

Phone: (415) 392-7900

Summary: On December 15, Avis Clark of Calpine Corporation (Calpine) spoke on the telephone with Belinda Gatti, advisor to Cmmr. Brown. Also participating in the communication were Thomas Beach of Crossborder Energy, consultant, and Joseph Karp of White & Case LLP, attorney, for Calpine and the California Cogeneration Council. Karp asserted that the backbone-only rate does not confer a competitive advantage for backbone-level customers, but remedies a disadvantage that they currently experience. Beach stated that the requirement that all customers pay local transmission rates was a feature of the original Gas Accord, and is ripe for reconsideration at this time. Clark and Beach stated that Pacific Gas and Electric Company's estimate of the impact of establishing backbone-only rate on rates is exaggerated. Karp urged the Commission to allow customers that have discounted contracts with PG&E to extend those contracts.

Filer: Calpine Corporation and California Cogeneration Council

Contact: Enoch H. Chang

Phone: (415) 544-1100

12/18/03 R01-09-001 Order instituting rulemaking on the Commission's own motion to assess and revise the new Regulatory Framework for Pacific Bell and Verizon California Incorporated.

 I01-09-002 Order instituting investigation on the Commission's own motion to assess and revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated.

Summary: On December 15, 2003, Cynthia Marshall, Senior Vice President Regulatory and Constituency Relations, Pacific Bell Telephone Company dba SBC California (SBC), met with Cmmr. Brown in San Francisco. Also present were Robert Wullenjohn, advisor to Cmmr. Brown, Tom Long, advisor to Cmmr. Lynch, Belinda Gatti, advisor to Cmmr. Brown, Darwin Farrar, Richard Smith and Lee-Whei Tan, for the Office of Ratepayer Advocates, Charles Christiansen and Mike Amato of the Telecommunications Division, Bill Nusbaum of The Utility Reform Network, Clay Deanhardt of AT&T California, Kurt Rasmussen of Verizon California Inc., James Young, General Attorney and Assistant General Counsel and Secretary, and Michael Sasser, Senior Counsel, for SBC West, Yvette Hogue, Executive Director, and Emery Borsodi, General Manager, Regulatory Proceedings, for SBC, and Paul Strange of the Strange Law Firm. Written materials (attached to the notice) were used. SBC stated that the alternate decisions (AD) correctly finds that SBC properly wrote-off its PBOP regulatory asset above-the-line in 1998; and that the proposed decision (PD) erroneously proposes that SBC should have written

off its PBOP regulatory asset below-the-line. SBC stated further that the PD and AD's refund order for VEBA 1 covers a period prior to D92-12-015 and thus violates the rule against retroactive ratemaking.

Filer: Pacific Bell Telephone Company, dba SBC California

Contact: Claudia Barros

Phone: (415) 542-3820

12/18/03 A02-11-007 Southern California Water Company (U 133-W), for an order authorizing it to increase rates for water service by \$19,826,100 or 29.72% in the year 2003; by \$6,327,800 or 7.31% in the year 2004; and by \$6,326,200 or 6.81% in the year 2005 in its Region III Service Area and increased rates for the General Office Allocation in all of its Customer Service Areas in this Application including: Arden-Cordova, Bay Point, Clearlake, Los Osos, Ojai, Santa Maria, Simi Valley and Metropolitan.

Summary: On December 16, 2003, Mohsen Kazemzadeh, Water Division, met with Jonathan Lakritz, advisor to Cmmr. Wood, in San Francisco. Also present were David Morse and Sung Han, Office of Ratepayer Advocates (ORA), and Greg Heiden of the Legal Division. Morse provided background information on the ORA's position on the issue of Southern California Water Company's (SCWC) lease of water rights to the City of Folsom. Kazemzadeh provided more details on ORA's concerns with the proposed decision (PD); specifically, that the PD excused SCWC not seeking an 851 filing, and that the PD, if adopted, would set the bad precedent of allowing utilities to enter into business transactions without the Commission's awareness.

Filer: Office of Ratepayer Advocates - Heiden

Contact: Rosario Espino

Phone: (415) 703-1858

12/18/03 I02-04-026 Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.

Summary: On December 15, 2003, Stephen Wald, director of the California Hydropower Reform Coalition (CHRC) met Cmmr. Lynch, Cmmr. Brown, and Cmmr. Kennedy in three separate meetings in San Francisco. At the meeting with Cmmr. Brown also present was Peter Hanson, advisor to Cmmr. Brown. Richard Roos-Collins of the Natural Heritage Institute, co-counsel for CHRC, and Charlton H. Bonham, Trout Unlimited, co-counsel for CHRC, participated in all three meetings. CHRC representatives expressed its support for the Lands Conservation Commitment and the implementing the Land Stipulation.

Filer: California Hydropower Reform Coalition

Contact: Katherine Ridolfi

Phone: (510) 644-2900, ext. 118

email: kridolfi@n-h-i.org

Summary: On December 15, 2003, Marc Joseph, attorney for the Coalition of California Utility Employees (CUE), met with Cmmr. Lynch in San Francisco. Also present were Hunter Stern from IBEW 1245 and Art Carter on behalf of CUE and IBEW 1245. Joseph stated that it was hard to know the many underlying facts regarding the proposed settlement, unlike most Commission proceeding where all the information is transparent. Joseph also said that Cmmr. Lynch's alternate was probably the legally safest. Stern said that IBEW 1245 had a difficult time bargaining with Pacific Gas and Electric Company (PG&E), but they did ultimately conclude a contract, and that IBEW 1245 wanted to get PG&E out of bankruptcy now rather than later.

Filer: Coalition of California Utility Employees

Contact: Bonnie Heeley

Phone: (650) 589-1660

Summary: On December 15, 2003, Todd Edmister, Attorney, Legal Division of the Commission, met with Cmmr. Brown in San Francisco. Also present were David Gamson and Peter Hanson, advisors to

Cmmr. Brown, Paul Clanon, Director, Energy Division, and Jeanette Lo, for the Commission. Clanon stated that the Regulatory Asset (RA) could not be compared with any set of PG&E costs, and attempts to line the RA up with individual costs are futile exercises. Clanon stated that the RA, as part of the total package of the Settlement Agreement (SA), is appropriately sized to achieve the goals underlying the SA. Clanon noted further that the Net Present Value of the SA and the Modified SA proposed by Cmmr. Brown appear roughly equivalent, but the SA allows for a large immediate rate reduction. Clanon emphasized the desirability of an immediate rate decrease.

Filer: Legal - Edmister

Contact: Todd Edmister

Phone: (415) 703-4443

Summary: On December 15, 2003, Anne L. Trowbridge, counsel to the Merced Irrigation District (MID), met with Cmmr. Kennedy in San Francisco. Also present were Ross LaJeunesse and Karl Bemederfer, advisors to Cmmr. Kennedy. Trowbridge urged the Commission to issue a decision that complies with the law. Specifically, Trowbridge stated that MID is concerned that any decision approving or modifying the proposed settlement agreement (PSA) not violate the prohibition against binding future Commissions. Trowbridge also requested that the Commission consider making any final decision on the PSA contingent upon it being attached to the Bankruptcy Court Order.

Filer: Merced Irrigation District

Contact: Martha Lacy

Phone: (916) 444-1000
